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8-21-02

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:  
Stephen C. Ennis

Serial No. 09/978,379

Filed: October 15, 2001

For: Starvation Avoidance Mechanism  
For an I/O Node of a Computer  
System

§ Group Art Unit: 2661

§ Atty. Dkt.: 5500-71600

§ I hereby certify that this correspondence is being deposited with  
the U.S. Postal Service as First Class Mail in an envelope  
addressed to: U.S. PTO, Washington, D.C. 20231, on the date  
indicated below:

B. Noel Kivlin  
Signature of Representative  
8-12-02  
Date \_\_\_\_\_  
\_\_\_\_\_  
Signature

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**INFORMATION DISCLOSURE STATEMENT**

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AUG 19 2002

Technology Center 2600

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant requests consideration of  the references listed on the attached Form PTO-1449 and/or  the additional information identified below in paragraph 3.

A copy of each reference listed on the Form PTO-1449 is enclosed.  
 The references listed on the Form PTO-1449 were previously cited in application serial no. \_\_\_\_\_ to which the captioned application is seeking priority under 35 U.S.C. §120; therefore, a copy of each reference is not enclosed.

1. This Information Disclosure Statement is submitted:

- a.  within 3 months of the filing date of a national application other than a continued prosecution application under § 1.53(d);  
 within 3 months of the date of entry of the national stage as set forth in § 1.491 in an International application;  
 before the mailing date of a first Office Action on the merits; or  
 before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
  
- b.  after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus:  the certification of paragraph 2 below is provided, or  a fee of \$180.00 is enclosed.

c.  after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus: the certification of paragraph 2 below is provided and a fee of \$180.00 is enclosed.

2. It is hereby certified:

that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56 (c) more than three months prior to the filing of the Statement.

3.  Consideration of the following additional information (including any co-pending or abandoned U.S. applications, prior uses and/or sales, etc.) is requested:

U.S. Patent Application Serial No. 09/399,281, filed 9/17/99.

4. For each non-English language reference listed on the attached Form PTO-1449:

reference is made to an English language translation submitted herewith, and/or

reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or

reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or

reference is made to the concise explanation contained in the specification of the present application at page(s) \_\_\_\_\_, and/or

reference is made to the concise explanation set forth below:

5.  Applicant also offers the following comments for the Examiner's consideration:

6.  Also enclosed is a copy of a foreign search report citing these references.

7.  The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure

Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.

8.  Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.

If any required fees are missing, the Commissioner is authorized to charge said fees to Conley, Rose & Tayon, P.C. Deposit Account No. 50-1505/5500-71600/BNK.

Respectfully submitted,



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Date: 8-12-02